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MEMORANDUM ENDORSED

June 30, 2023

BY ECF

The Honorable Gregory H. Woods
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2260
New York, NY 10007

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*Re: Citadel Securities Americas LLC v. Portofino Technologies AG,
No. 23-cv-5222-GHW (S.D.N.Y.)*

Dear Judge Woods:

We represent Plaintiffs in the above-captioned action and write pursuant to Rule 1.E of Your Honor's Individual Rules of Practice in Civil Cases to request an adjournment of the July 10 pre-motion conference (ECF No. 21) in light of Plaintiffs' intent to file an amended complaint. Defendants Portofino Technologies AG, Portofino Technologies USA, Inc., and Jean Canzoneri consent to this request. There have been no previous requests for adjournment or extension of time in connection with this conference or Defendants' proposed motions.

On the morning of Thursday, June 29, Plaintiffs informed Defendants of their intent to amend their complaint to include, among other things, claims under the Defend Trade Secrets Act ("DTSA"), 18 U.S.C. § 1836, for Portofino's wrongful misappropriation of Plaintiffs' trade secrets and confidential information. Today, Defendants consented to Plaintiffs' planned amendment, which Plaintiffs and Defendants agree should be treated as Plaintiffs' single amendment as of right pursuant to Federal Rule of Civil Procedure 15(a)(1).

The parties have agreed that Plaintiffs will file an amended complaint by no later than July 21, 2023, with Defendants submitting any letters requesting a pre-motion conference on motions with respect to the amended complaint by no later than July 28, 2023. Pursuant to Rule 2.E.i of Your Honor's Individual Rules of Practice in Civil Cases, Plaintiffs will file response letters by no later than August 2, 2023. Accordingly, Plaintiffs respectfully request that the July 10 pre-motion conference be adjourned to a date after August 2, 2023. Because Plaintiffs plan to include a federal claim under DTSA in their amended complaint, Plaintiffs do not intend to seek remand of this case back to New York County Supreme Court.

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2

Respectfully submitted,



Timothy S. Martin

Application granted. Plaintiffs shall file the amended complaint no later than July 21, 2023. Any letters requesting a pre-motion conference regarding Plaintiffs' anticipated amended complaint shall be filed no later than July 28, 2023; Plaintiffs' response letters, if any, shall be filed within five days after any such pre-motion conference request letters are filed. The teleconference scheduled for July 10, 2023, is adjourned sine die. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 22.

SO ORDERED.

Dated: July 5, 2023

New York, New York



GREGORY H. WOODS
United States District Judge